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01-18-2002

U.S. Patent & TMO/c/TM Mail Rpt/Dt. #59

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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HLR TECHNOLOGY CORPORATION, :
Opposer, : OPPOSITION NO. 122,735
v. :
JAY MULLINS DBA ZPRO, :
Applicant. :
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STIPULATED MOTION TO EXTEND APPLICANT'S TIME
TO RESPOND TO DISCOVERY AND TRIAL DATES

It is respectfully requested that the time for applicant to respond to opposer's discovery be extended for thirty (30) days, i.e. until January 30, 2002, and trial dates now set for this opposition be extended for a period of thirty (30) days as follows:

30-day testimony period for party in position of plaintiff to close:	March 25, 2002
30-day testimony period for party in position of defendant to close:	May 24, 2001
15-day rebuttal testimony period for plaintiff to close:	July 8, 2002

The reason for this Motion is that applicant failed to respond to applicant's outstanding discovery by December 31, 2001 which was the last day to Answer.

Pursuant to Trademark Rules of Practice Section 2.121(e), opposer's attorney telephoned applicant's attorney to inquire whether applicant intended to respond. Applicant's attorney

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advised he had sent the discovery to his client but had not received a response but would contact his client. On January 14, 2002, applicant's attorney advised that his client was working the Answers and would have them ready in a week's time. Accordingly, it was agreed with applicant's attorney to extend applicant's time to Answer outstanding discovery for thirty (30) days and to extend all dates for taking testimony for the same period of time.

Applicant's attorney agrees to this request for extension of time.

NIMS, HOWES, COLLISON, HANSEN
& ATKINS, LLP
Attorneys for Opposer

Dated: New York, New York
January 16, 2002

By: Bert A. Collison
Bert A. Collison
Elizabeth Atkins

605 Third Avenue, Suite 3500
New York, New York 10158
(212) 661-9700

CERTIFICATE OF MAILING

I hereby certify that the attached Stipulated Motion to Extend Applicant's Time to Respond to Discovery and Trial Dates is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box TTAB NO FEE, Commissioner for Trademarks, 2900 Crystal Drive, Arlington, Virginia 22202-3513, on January 16, 2002.

NIMS, HOWES, COLLISON, HANSEN
& ATKINS, LLP
Attorneys for Opposer

By: Bert A. Collison
Bert A. Collison

CERTIFICATE OF SERVICE

It is hereby certified that a true and complete copy of the foregoing Stipulated Motion to Extend Applicant's Time to Respond to Discovery and Trial Dates was deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Robert G. Lev, Esq., Lev Intellectual Property Consulting, 4766 Michigan Boulevard, Youngstown, Ohio 44505, attorney for applicant, on January 16, 2002.

NIMS, HOWES, COLLISON, HANSEN
& ATKINS, LLP
Attorneys for Opposer

By: Bert A. Collison
Bert A. Collison